

**MOTION
EXHIBIT 24**

**FILED UNDER
SEAL**



August 21, 2015

Nino,

This letter serves as a follow up to the conversation we had on August 21, 2015. This is a summary of the several important issues we discussed, and sets forth the mandatory action steps I explained to improve the administrative operations of the Baseball program.

As I explained, these are serious and important matters and I appreciate your commitment to address the concerns we discussed. Should you not fulfill the expectations set forth below as well as those in your contract, which include compliance with NCAA Bylaws, University Policies and Procedures and Athletic Department Policies and Procedures, you will be subject to additional discipline, up to and including termination.

- I. Specific Compliance Issues/Violations Include:
 - a. 2013- 2014: The University of San Francisco Baseball team held 6 inter squad scrimmages outside its declared fall season.
 - b. 2013-2014: Two prospective student-athletes on an official visit had impermissible, on and off campus contact with a representative of athletics interest.
 - c. 2013-2014: Assistant baseball coach, Seth Etherton, paid for the meal of an individual who coaches prospective student-athletes
 - d. 2013-2014: [REDACTED] a student-athlete, who was cut from the team, participated in practice, weight training, wore a uniform for home games and traveled to select road games.
 - e. 2014-2015: Four USF student-athletes participated in a community-service project as part of their service-learning class without prior written-permission from the Athletic Director.
 - f. 2014-2015: Joe Slater, the director of baseball operations, provided hard tickets, not on a pass-list, to an away game to two fathers of current baseball student-athletes.
 - g. 2014-2015: Joe Slater, the director of operations for baseball, provided a recruit and his father admission to a home game, during an official visit, and the recruit and father were not on a pass-list.
 - h. 2014-2015: [REDACTED] a student-athlete who was cut from the team participated in practice, weight training, wore a uniform for home games and traveled to select road games.
- II. Additional Administrative Issues:
 - a. Complimentary Ticket Operations
 - i. There have been numerous occasions over the past couple of years in which the home and away pass list for complimentary tickets has been mismanaged by the Baseball support staff. This has caused violations to both NCAA bylaws and University procedures.
 - b. Cash Handling
 - i. During the Texas Tech trip, the Director of Baseball Operations inappropriately used cash to manage the team pass list and pay for travel related expenses for the program. This has caused violations to both NCAA bylaws and University procedures.

c. Travel Management

- i. On a number of occasions the Baseball program made changes to team travel arrangements to accommodate travel plans for family members. In some instance this has had a financial impact on the department.

d. Financial Operations

- i. During the fall of 2014, the Baseball program organized and participated in a Navy Seal Training Program. The expenses and donations associated with this program were processed through your camp LLC. Additionally, the program has incurred expenses that have not following the department's pre-approval process.

e. Staff Management

- i. During May of 2015, you communicated to Seth Etherton that you would not be renewing his assistant coach contract for the upcoming year after having made early representations that he did not have to worry about a renewal. The manner in which this was handled was unprofessional, and created unnecessary risk and negative financial implications.

f. Scholarship non-renewal

- i. After the 2014 season, you "released" student-athletes from their scholarships solely due to athletic performance. This is in direct conflict with Athletic Department philosophy regarding non-renewal of athletic scholarships. While the student-athletes kept their scholarships for the 2015-2016 year, this had a direct impact on financial aid for the baseball program.

III. Action Steps

- i. All complimentary tickets will be administered through Jump Forward according to department policies and procedures.
- ii. The Baseball program will not be authorized to pay for additional complimentary tickets for home and away competitions.
- iii. If the Baseball program is not allotted complimentary tickets at away competitions per game contracts, the purchase of tickets for student-athletes and staff needs approved by the Compliance and Business office prior to the team departing campus.
- iv. Expense for away tickets will be booked in the Baseball Operating Budget and needs to be accounted for during the budget submission and approval process.
- v. The Director of Operations, or designee assigned to managing the pass list for the team, will be required to attend a training managed by the Compliance and Ticket staff prior the start of the Baseball season.
- vi. All Baseball staff members are required to comply with Department and University cash handling policies.
- vii. Only full-time staff members are allowed to handle cash for the Baseball program. Cash can only be used for per diem and laundry services. Any additional expenses need to be approved prior to the team departing campus.
- viii. All cash expenses need written backup documentation.
- ix. The department will not incur additional expenses for family members to travel to away competitions (hotel, meals, travel, etc.)
- x. Hotel arrangements will be made to accommodate 2 student-athletes per hotel room.
- xi. The following positions will be allowed to travel to all away competitions: Head Coach, Assistant Coach, and Director of Operations, Athletic Trainer. Additional staff will be approved on a case-by-case basis and will need prior approval from the Business Office.

- xii. All expenses and revenues associated in any part to the operations of the Baseball program need to be reviewed and approved by the Business Office and need to
- xiii. follow Department and University policies and procedures, including the department's pre-approval process.
- xiv. Any violation of this or the Camp Agreement will place the baseball camp under review status with the possibility of revoking the option to operate independently of the University.
- xv. Any violation of the pre-approval process could result in having purchasing card privileges revoked.
- xvi. You are required to meet with the Baseball sport supervisor prior to any meetings with assistant coaches and support staff about employment concerns. All assistant coach non-renewals will be approved by the sport supervisor and Associate AD for Internal Operations in collaboration with Human Resources.
- xvii. You will be required to go through additional manager training coordinated by the Athletic Department and Human Resources.
- xviii. Non-renewals based solely on athletic performance will no longer be permitted.
- xix. All non-renewals will be reviewed and approved by the Athletic Department prior to any discussions with student-athletes.
- xx. The sport supervisor will attend all meetings with student-athletes that relate to standing with the baseball program (i.e. expectations, non-renewals, conduct, etc.)
- xxi. You will submit a 3 year strategic plan for the program by 9/15/2015 which is subject to my approval.
- xxii. You will work directly with the baseball sports supervisor and necessary administrative staff to complete job descriptions for all current support staff and any staff members to participate with the program in the future.
- xxiii. All special events (i.e. Crab Feed, Alumni Weekend, etc.) need to follow University and department guidelines. You will need to work directly with the Baseball sport supervisor on all logistics and operations related to these events.

Effective immediately, you are being placed on probation with the University of San Francisco Compliance Office per NCAA bylaws 11.1 Conduct of Athletic Personnel and 11.1.1.1 Responsibility of Head Coach. You will be on probation until August 1st, 2016 at which time probation will end if there are no additional violations.

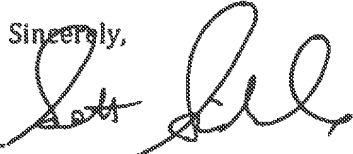
As you are aware, we have been working with the NCAA regarding the roster size violation. The NCAA accepted our proposed penalties. Below is a summary of the self-imposed sanctions for this violation:

1. Maximum of 34 student-athletes on the 2016 and 2017 roster
2. Letters of Admonishment will be issued to all staff members who did not question the continued participation of [REDACTED] and [REDACTED] after they were cut from the team
3. Head Coach will serve a 4 game suspension for the 2016 Baseball season
4. This letter will also serve as your official letter of reprimand.

This letter serves to provide a summary of the administrative issues experienced by the baseball program. While extensive, it is not exhaustive. There is an expectation that you and the baseball program make a conscious effort to work collaboratively with the Athletic Department administration to minimize operational issues within the program. As noted above, failure to do so could result in additional review of the baseball program and/or possible suspension or termination of any staff member of the baseball program.

Nino, this letter represents a great deal of evaluation, consideration and reflection. I am disappointed but I am hopeful that you will work to address these issues and that the administrative operations will parallel the passion, expertise and commitment you have to coaching and player development. I am here to support you and the program. Thank you again for your commitment to immediately address these issues.

Sincerely,

A handwritten signature in black ink, appearing to read 'Scott Sidwell', written over a horizontal line.

Scott Sidwell